



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

EPA Region 5 Records Ctr.



383622

AUG 14 2009

REPLY TO THE ATTENTION OF:
R-19J

The Honorable Fred Upton
House of Representatives
Washington, DC 20515

Dear Congressman Upton:

Thank you for your July 30, 2009, letter to U.S. Environmental Protection Agency Administrator Lisa Jackson, in which you express your concerns regarding the Allied Paper/Portage Creek/Kalamazoo River Superfund site, in particular the Allied Paper Inc. Landfill in Kalamazoo, Michigan. As Acting Regional Administrator for the region including your district, I was asked to respond to your inquiry.

Please be assured that EPA is committed to keeping the Superfund cleanup process open to the public. During the past twenty months, EPA has provided updates to the public regarding the Allied Landfill at eight public meetings, met directly with the City of Kalamazoo and local stakeholders on four different occasions, and held numerous conference calls regarding the Allied Landfill; specifically, the potential for contaminated groundwater to impact the City of Kalamazoo's well field.

EPA has given full consideration to the concerns raised by the City. On October 6, 2008, EPA responded to the City's comments on the Remedial Investigation Report and forwarded them to the responsible party Millennium Holdings, LLC (Millennium). As a direct result of the City's concerns, Millennium conducted a groundwater investigation to determine if the Allied Landfill was impacting the City's well field. Prior to implementation of the groundwater investigation, EPA sought comment from the City on Millennium's investigation plan and revised the plan to address a majority of the City's concerns. On April 22, 2009, EPA issued its formal response to the City's comments on the groundwater investigation plan. I have enclosed a copy of that letter for your reference. I also have enclosed a letter dated August 6, 2009, from Millennium's contractor, Arcadis, that summarizes the interactions with the City and the substantive changes to the investigation plan that resulted from the City's concerns.

The preliminary findings of the groundwater investigation concluded that the Allied Landfill was not impacting the City's well field. These conclusions support the

original findings of the Michigan Department of Environmental Quality's Remedial Investigation Report, which was approved by EPA on March 7, 2008.

The next step in the Superfund cleanup process is the submittal of the draft Feasibility Study (FS) Report, which analyzes potential cleanup remedies for the Allied Landfill. This document is scheduled to be submitted to EPA on October 29, 2009. EPA held a public meeting on July 28, 2009, regarding the FS and the preliminary findings of the groundwater investigation. EPA will hold additional public meetings in early September and November to discuss the potential array of cleanup alternatives and other details of the FS. Frequent public meetings not only inform members of the community but also provide a mechanism for public input into development of cleanup options and ensure potential remedies are consistent with future uses of the site.

EPA anticipates selecting a cleanup remedy for the Allied Landfill in the fall of 2010. EPA will continue to involve the public, solicit input, and carefully consider the public's recommendations. Please be assured that the remedy ultimately selected for the Allied Landfill will be protective of human health and the environment. Additionally, any potential remedy that includes leaving waste materials in-place will require a groundwater monitoring system to ensure future protectiveness of the City's drinking water supply.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Mary Canavan or Ronna Beckmann, the Region 5 Congressional Liaisons, at (312) 886-3000.

Sincerely,

A handwritten signature in black ink, appearing to read 'B Mathur', with a stylized flourish extending to the right.

Bharat Mathur
Acting Regional Administrator

Enclosures